

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 10-21 are pending in the present application, Claims 1-9 having been previously canceled without prejudice or disclaimer.

In the outstanding Office Action, Claims 10-21 were rejected under 35 U.S.C. §102(b) as anticipated by Giovannoli (U.S. Patent No. 5,842,178).

With respect to the rejection of Claim 10 as anticipated by Giovannoli, Applicant respectfully traverses the rejection because Giovannoli does not teach or suggest every element of Claim 10.

Claim 10 recites, *inter alia*,

categorizing merchandise items/services of the first database into groups and searching the number of potential buyers who want to buy merchandise items/services in at least a group being categorized from the first database;

selecting sellers who are offering to sell merchandise items/services in the same group from the second database and providing a potential buyer information including the number of buyers for the same group, to the selected sellers.

Giovannoli does not teach or suggest the above-noted elements of Claim 10. Fig. 2A of Giovannoli describes that one buyer (user) accesses the system and requests a quotation by selecting a category or item. In the claimed invention, the system makes a group selection.

Furthermore, Giovannoli does not teach or suggest “searching the number of potential buyers” and “providing a potential buyer information including the number of buyers for the same group, to the selected sellers.” The system described by Giovannoli has no need for these claim elements because in Giovannoli’s system, the buyer is already specified.

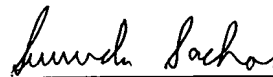
In view of the above-noted distinctions, Applicant respectfully submits that Claim 10 (and Claims 11-15) patentably distinguish over Giovannoli. In addition, Applicant respectfully submits that Claim 16 (and Claims 17-21) patentably distinguish over Giovannoli for at least the reasons stated for Claim 1.

Finally, Applicant respectfully traverses the position taken in the outstanding Office Action that the present application is not entitled to priority under 35 U.S.C. §119(a)-(d) from Japanese application 2000-234507, filed August 8, 2000, because the present application was filed more than 12 months after the Japanese application. The present Application is a continuation of PCT/JP00/06572, which has a filing date of September 25, 2000. Thus, the present application has an effective U.S. filing date of September 25, 2000, which is within 12 months of the filing date of the Japanese application. See MPEP 35 U.S.C. §365(c) and MPEP §201.13(b). Furthermore, Applicant respectfully requests that the Office acknowledge receipt of the priority document, filed November 30, 2001, in the next Office communication.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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